REMARKS

Claims 1-83 are now pending in the application. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not narrowing amendments. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.
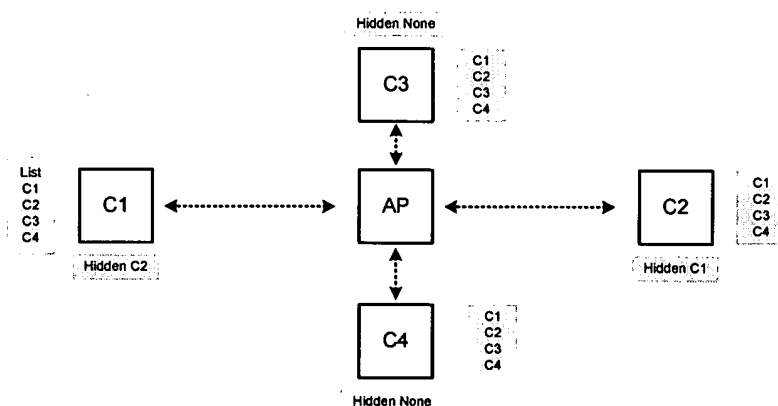
REJECTION UNDER 35 U.S.C. § 102

Claims 1-3, 5-7, 12-14, 19-21, 23-26, 30-32, 37, 38, 40-42, 47-49, 54, 55, 57-61, 63-65, 67-71, 73-75, and 77-80 are rejected under 35 U.S.C. § 102(b) as being anticipated by Lin (U.S. Pat. No. 5,768,531). This rejection is respectfully traversed.

The Examiner has failed to properly establish that Lin et al. shows, teaches or suggests a first node of the plurality of nodes that receives the table and that determines a hidden status of a second node in the table.

The Examiner refers to column 4, lines 55-60 of Lin et al. in support of his rejection. However, this passage of Lin et al. fails to show, teach or suggest a first node that determines a hidden status of a second node in the table. This passage appears to discuss an access point (AP) that sends a table including all client stations associated with the AP to each client station. This is not the same as determining the hidden status of nodes in the network.

For example and referring to the figure provided

above, clients C1, C2, C3 and C4 communicate with an AP. The AP sends a list including clients C1, C2, C3 and C4 to each of the client stations. Clients C1 and C2 may be hidden from each other. Clients C3 and C4 are not hidden from any of the other clients. At this point, C1 and C2 do not know the hidden status of each other.

Clients C1 and C2 may be hidden from each other when clients C1 and C2 are located on opposite sides of the AP. In this situation, C1 cannot receive C2's transmissions to the AP. Likewise, C2 cannot receive C1's transmissions to the AP. When C1 and C2 send data to the AP, there is a high likelihood that transmissions from C1 and C2 will collide repeatedly, which may tie up the network.

Applicant's system addresses at least two problems. The first problem relates to the prevention of collisions due to one or more client stations being hidden from each other. The second problem relates to relieving bandwidth constraints by allowing clients of the same AP to establish peer-to-peer links as discussed in Lin et al.

In some implementations, C1 determines the hidden status of C2, C3 and C4 by sending an acknowledgement request to C2, C3, and C4 as described further below with respect to Claim 12.

While Lin et al. describes a solution to the second problem, Lin et al. does not address the first problem. As best understood by Applicants, Lin et al. discloses switching between infrastructure and peer-to-peer modes. Lin et al. does so based on a combination of quality of service (QOS) and aging timers. See Col. 8, line 36 to Col. 9, line 19. To establish QOS of a second client station at a first client station, the first client station must be able to communicate with the second client station and be able to receive a message from the second client station. If the second client station is hidden

from the first client station, the first client station cannot receive a message and establish QOS. If the AP determines QOS, it is meaningless with respect to the hidden status of the second client station relative to the first client station or vice versa.

Therefore, Lin et al fails to show, teach or suggest a first node that determines a hidden status of a second node in said table.

For anticipation to be present under 35 U.S.C §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. *Scripps Clinic & Res. Found. V. Genentech, Inc.*, 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. *Constant v. Advanced Micro-Devices, Inc.*, 7 USPQ.2d 1057 (Fed. Cir. 1988).

There are clear differences between the claimed invention and the Lin et al reference. Furthermore, Lin et al. fails to show all of the limitations of the claim.

Therefore, Claim 1 is allowable for at least these reasons. Claims 19, 37, 54, 64, and 74 are allowable for at least similar reasons as Claim 1. The remaining claims ultimately depend from Claims 1, 19, 37, 54, 64, and 74 and are allowable for at least similar reasons.

With respect to Claim 12, Lin et al. does not show, teach or suggest the limitation wherein the first node broadcasts an acknowledgement request to the other nodes in the wireless network when the new table is received.

The Examiner refers to Col. 5, lines 20-30. This passage, however, describes periodically sending a **keep alive** message to the **AP**. Claim 12, however, recites one of the nodes to send **an acknowledgement request** to the **other nodes** in the table

(not the AP). A keep alive message is not the same as an acknowledgement request. An acknowledgement request requires the receiver to send an acknowledgement. Furthermore, the keep alive message is sent to the AP and not the other nodes.

Therefore, Claim 12 is further allowable for at least this reason. Claims 30 and 47 are allowable for at least similar reasons as Claim 12.
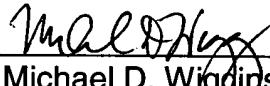
ALLOWABLE SUBJECT MATTER

The Examiner states that claims 4, 15-18, 22, 33-36, 39, 50-53, 56, 62, 66, 72, 76, 81, and 82 would be allowable if rewritten in independent form. Applicant will presently refrain from rewriting these claims into independent form at this time. Applicant reserves the right to do so at a later date if needed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: September 26, 2006

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